

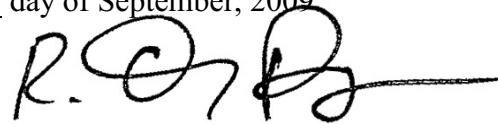
DEFAULT JUDGMENT AND ORDER

As set forth in the Report and Recommendation, Sissons executed an absolute, unlimited, and unconditional guaranty of Titus's debt, and that the debt remains outstanding in the sum of \$420,608.53, plus interest since January 8, 2008. Sissons is not a minor, incompetent, or member of the military. The amount of the judgment sought is a sum certain, or one that can be made certain by computation. The outstanding debt on January 8, 2008, was \$420,608.53. Interest has been

accruing against that debt under the terms of the notes at the rate of \$42.29 per day. Since that date, 577 days have elapsed, resulting in interest in the amount of \$24,401.33. Finally, Plaintiff's request for attorney's fees and expenses in the amount of \$63,091.27, is reasonable in light of the affidavit testimony of Plaintiff's counsel, the anticipated post-judgment collection efforts yet to occur, and the fact that the sum represents only 15% of the outstanding principal indebtedness. **JUDGMENT** hereby is **ENTERED** against Titus and Sissons, and in favor of Plaintiff, in the amount of \$508,101.13.

The remaining defendant, James Mack Fair, has appeared and answered the complaint. Accordingly, all claims against Fair remain pending. The matter is **RETURNED** to the magistrate judge for further proceedings.

DONE and **ORDERED** this 29th day of September, 2009

A handwritten signature in black ink, appearing to read 'R. David Proctor', written over a horizontal line.

R. DAVID PROCTOR
UNITED STATES DISTRICT JUDGE